

New York, July 16.—Silver, 41.58c; lead, 55.62; spelter, not quoted; copper, electrotypic, \$19.75@20.00.

Forecast—Utah: Tonight and Saturday fair; not much change in temperature.

FEARLESS, INDEPENDENT, PROGRESSIVE NEWSPAPER

Forty-fifth Year—No. 161.

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OGDEN CITY, UTAH, FRIDAY EVENING, JULY 16, 1915.

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ALBERT GEDDES IS DECLARED TO BE ENTITLED TO PART OF ECCLES ESTATE

German Crown Prince's Army Defeats French in Argonne

FRENCH AND GERMANS AT CLOSE GRIPS WITH BOMBS AND GRENADES

Violent Battle in Argonne—Both Sides Claiming Victories—Germans Announce Successes With Sanguinary Losses of Enemy—French Report Recapture of Hill Taken From Them in Terrific Fight of July 13—Furious Contests Rage Throughout Battle Areas of France.

GERMANS HAMMER AT GATES OF WARSAW

Field Marshal Von Hindenburg Again in Limelight—Joins Von Mackensen in Drive on Polish Capital—Teutons Cross the Dneister—Both Turks and Russians Claim Successes in the Caucasus—Allies Advance on Gallipoli, Peninsula—Italians Force Back Austrians.

Paris, July 16.—Hill No. 285 in the forest of Argonne which was stormed by the Germans early this week has been recaptured by the French forces, according to the official statement given out this afternoon by the French war department.

Berlin, July 16, by wireless to Sayville.—Included in the news items given out today by the Overseas News Agency was the following:

"German military statisticians point out that the German victory in the forest of Argonne in France is of special importance as it shows that the connections toward western France are gradually being cut.

"The large amount of war material captured by the Germans in the last battle illustrates the importance attributed to the positions by the French commanders.

"The French, however, were unable to resist the terrific offensive of the crown prince's army."

Paris, July 16, 2:35 p. m.—The following official statement was issued by the war office today:

"In the region to the north of Arras the enemy attempted to rally from his trench to the south of the Chateau de Carleu and was immediately checked by our artillery and infantry fire.

"In the Argonne our curtains of fire prevented every tentative attack of the enemy.

"Between the Meuse and the Moselle the night witnessed activity but without action on the part of the infantry. There was a bombardment at the ravine of Sonvaux, bomb throwing in the forest of Alilly and cannonading to the north of Fliry.

Germans Make Wide Attack.

"In Lorraine the Germans attacked on a front extending three kilometers the positions which they had lost near Leintrey. They at the same time bombarded all our line from the forest of Champenoux as far as the Vesouze river, delivering some attacks partly with infantry. They were everywhere repulsed. Near Leintrey, after having gained footholds in the trenches they were immediately ejected by a counter attack.

"In the region southwest of the forest of Parroy assaulting troops, which had reached our wire entanglements, were dispersed by our fire and left prisoners in our hands. The losses of the enemy appeared considerable."

Austrians Cross the Dneister.

Barlin, July 16, via London, 2:45 p. m.—Dispatches received here from Austrian headquarters say that after

first impetus of the German attack in this region seems to be lost.

French and Germans at Grips.

Bomb and grenade fighting now is taking the place of artillery fighting in France, indicating that the lines are closely gripped in the form of a struggle which so often has led to a virtual draw along the western front. Hill No. 285 was taken early this week in the German move on Verdun which drove the French back three-fifths of a mile along a front of nearly two miles and which the German reports declared resulted in the capture of more than 2500 French soldiers and several guns.

Once more the Germans are hammering heavily on the gates of Warsaw from the north and claim considerable success in their movement. Russians Omit Fall of Przrasnyz.

Latest Russian reports carry accounts of the fighting in this region up to Wednesday and make no direct mention of Przrasnyz, the capture of which was claimed in Thursday's official communication from Berlin.

Repulse of German attacks between the Orzys and Wkra fronts, "south of Przrasnyz," however, are mentioned in the Petrograd statement.

Rome Reports Success.

On the Austro-Italian front, Rome reports success in forcing the Austrians out of positions in the mountain regions where fighting is in progress.

Further advances by the entente allies on the Gallipoli peninsula are reported by way of Athens.

The German submarine U-51, noted for its long voyage from German waters to Constantinople, is reported sunk in the Black sea by Russian warships.

BERNSTORFF IN HOPEFUL MOOD

German Ambassador to United States Hopes for Settlement After Further Negotiations.

CONFERS WITH LANSING

Believes Danger of Rupture Reduced—Government Will Do All in Power to Prevent Break.

Washington, July 16.—Count von Bernstorff, the German ambassador, told Secretary Lansing today he believed the German reply to the latest American note on submarine warfare presented opportunity for settlement of the controversy by further diplomatic negotiations.

The ambassador conferred with the secretary an hour and later talked with Assistant Secretary Phillips. In the absence of President Wilson, Secretary Lansing was unable to inform the ambassador what course the United States would pursue in its next note, but he heard with much interest Count von Bernstorff's explanation of the purposes of the German government to satisfy public opinion at home on the maintenance of submarine warfare, and at the same time to maintain friendly relations with the United States.

Germans Will Avoid Complications.

The ambassador is personally convinced there will be no repetition of the Lusitania disaster and German submarines now are exercising great precaution to avoid incidents which might inflame public opinion in the United States. With that idea in mind he urged that the United States take advantage of the intimation in Berlin's reply that Germany would be willing to have the entire question of freedom of the seas mediated with Great Britain through the United States.

Such a course American officials have intimated might be more welcome if accompanied by some assurance that during the pendency of the negotiations American lives and vessels would be safe from attack and danger.

Interview Very Satisfactory.

Count von Bernstorff refused to reveal what had taken place at today's conference beyond saying it was a very satisfactory interview and that he felt encouraged to believe the danger of a rupture in relations had been reduced. He based his optimism on the view that the German government did not want a break and would do all in its power to prevent one. He is confident that the United States holds a similar view. The ambassador is strongly of the opinion that diplomacy will be able to settle the issue.

The ambassador's interview was entirely informal. He came without special instructions from his government. That, however, is not unusual as he would be expected by his foreign office in such a situation to exert every influence toward bringing about an understanding.

Long Report Sent to Berlin.

He sent a long report on his visit by wireless to the German foreign office. Secretary Lansing would make no statement on the conference.

The torpedoing of the American steamer Nebraska for which Germany has expressed regret and promised reparation, also was discussed.

The note from Austria-Hungary on war exports was not discussed. It was stated on the highest authority.

REWORKS OLD PLAN OF WOODEN HORSE



Josiah Wedgwood.

Lieutenant-Commander Wedgwood, in charge of a squadron of armored motor cars on a transport, removed the maxims and placed them with 2300 men on an innocent beached vessel that was calmly looking at Gallipoli. When it ran aground, great doors were opened in its sides and a landing made after desperate resistance from the Turks.

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RUSSIANS SINK GERMAN U-51

Submarine That Eluded British at Gibraltar Sent Down in Black Sea.

London, July 16, 10:30 a. m.—The German submarine U-51 has been sunk in the Black sea by Russian warships, according to information received from Varna, a Bulgarian port on the Black sea, by the Athens correspondent of the Exchange Telegraph company.

The German submarine U-51 gained fame by eluding the British blockade and passing the strait of Gibraltar to operate against the allied fleet in the Dardanelles. The U-51 has been credited with sinking several vessels belonging to the allies including the British battleship Majestic.

Reaches Dardanelles Safely.

The British blockading fleet off Gibraltar was reported to have been warned of the approach of the U-51 but failed to catch the underwater craft which went from Gibraltar to the Dardanelles where she did much to prevent the allies' warships from co-operating with the land forces on the Gallipoli peninsula.

Later the U-51 passed through the sea of Marmora and reported to the German commander at Constantinople. If the report of her destruction in the Black sea is true, she evidently went from the Turkish capital through the Bosphorus to operate against the Russian Black sea fleet.

CHOLERA RAGING AMONG HUNGARIANS

Paris, July 16, 7:35 a. m.—A Havas agency dispatched from Geneva says that information has been received there from Bucharest to the effect that 43 cases of cholera developed in Hungary from the week July 4 to July 10 with twenty-one deaths.

Twenty-four cases in the army are said to have resulted fatally.

Read the Classified Ads.

THAW IS SET FREE

Supreme Court Justice Hendrick Adopts Jury's Verdict.

STATE TO APPEAL

Defendant's Bail Fixed at \$35,000—Crowds Cheer.

New York, July 16.—Harry K. Thaw, adjudged sane last Wednesday by a jury, was given his freedom today by Supreme Court Justice Peter A. Hendrick who announced that he had adopted the jury's verdict.

The state immediately served notice of appeal and Justice Hendrick fixed Thaw's bail at \$35,000 to insure his presence at future proceedings. A surety company was prepared to give the bond and Thaw was taken from the court house to the judge's chambers so that details might be arranged.

A crowd of several hundred lined the sidewalks and around the court house, cheered and applauded wildly when he appeared on the court house steps.

In announcing his decision Justice Hendrick took occasion to comment unfavorably upon the action of alienists who had assisted the state in preparing the case and then appeared as expert witnesses in court.

Excited Based on Own Mind.

"I have reached a decision in this case," Justice Hendrick said, "and it is based on my own mind fortified by the action of the jury."

Thaw, sitting comfortably in his chair, his counsel on each side, his mother and his sister a few feet behind him, showed his pleasure and anticipated the court's decision with a broad smile.

Justice Criticizes Alienists.

"I want to say a word about the alienists," Justice Hendrick continued. "We have been told by one alienist that it is impossible to determine the sanity or insanity of a person without taking the word of alienists. This court and jury cannot depend upon the word of an alienist, who for years has devoted himself to a case of this kind and assisted in its preparation. That a doctor can help prepare a case and then go on the stand as an expert witness is wrong."

"I hope the legislature of the state will find some means to correct this. Some other method should be adopted. Gentlemen, I have adopted the verdict of the jury. I declare now that it is the decision of this court that Harry K. Thaw is sane."

Edgar Bromberger of the group of lawyers appearing for the state gave notice of appeal. At a previous conference of counsel in the case it had been made clear that should the court decide in Thaw's favor the commitment of Justice Dowling, under which Thaw was sent to Matteawan in 1905 after he had been acquitted on the grounds of insanity of the murder of Stanford White, would not be formally vacated but would simply cease to operate.

Justice Hendrick decided that the state's notice of appeal automatically acted as a stay. John B. Stanchfield, of Thaw's counsel, then moved that Thaw be given his liberty under a bond.

State Vigorously Opposes.

This motion was vigorously opposed by the state. Mr. Bromberger told the court that he considered Thaw insane and a danger to the community.

Mr. Stanchfield replied that Thaw had been adjudged sane and that to deny him bail would virtually nullify the court's decision until the appeal had been decided.

The court then fixed the amount of bail at \$35,000.

Thaw Makes No Statement.

Thaw declined to make any statement at this time, except to say that, after the bail arrangements were completed, he was going to get his bags and then go direct to the Pennsylvania station in Jersey City whence he would take a train for Pittsburgh. The sheriff will accompany Thaw until he is on New Jersey soil, out of New York state.

AVIATORS TO AID MANEUVERS.

New York, July 16.—The Aero Club of America today announced that the states of New York and Vermont have accepted offers of aeroplanes and the services of aviators during the maneuvers of the National Guards of those states.

ATTORNEY J. H. DEVINE DECLARES DEFENSE WILL RESIST THE VERDICT

New Trial Will Be Asked For and, If Necessary the Case Will Be Taken to the Supreme Court—Mrs. Margaret Geddes and Her Son Albert Embrace and Weep in Court—Members of Eccles Family Are Not Discouraged.

After being out since 6:30 last evening, the jury in the Geddes-Eccles case came into court at noon today and returned a verdict declaring Albert Geddes to be the son of David Eccles, the deceased millionaire, whom Margaret Geddes, the mother of Albert, alleges was united to her in plural marriage in August, 1898, by M. W. Merrill, an apostle of the Mormon church.

A poll disclosed that the jurors stood 7 to 1 in favor of the boy who claims a one-thirty-third interest in the millions of the Eccles estate.

The case has been on trial since June 21 and has held widespread attention, receiving editorial comment by nearly all the leading newspapers of the country owing to the relation of the case to the Senator Reed Smoot investigation in Washington in 1904, Mrs. Geddes at that time having testified before the senate committee that she was not the plural wife of David Eccles, and further, more, because it involved the question as to whether plural marriages had been performed within the Mormon church since the Woodruff manifesto in 1890, declaring against the practice of polygamy. Six Mormons and two non-Mormons made up the jury.

The text of the verdict is as follows:

"We, the jury empaneled in the above entitled action, find the issues joined in favor of the plaintiff, that the said David Eccles, deceased, in his life time, acknowledged himself to be the father of petitioner, and that said petitioner is an heir of deceased."

The case came before the district court, with Judge J. A. Howell presiding, on a protest against issuance of an order for final distribution petitioned for by the administrator, David C. Eccles, of the estate of the late millionaire, David Eccles, who died intestate in the early part of December 1912, leaving an estate valued at more than \$7,000,000, the net value being placed at \$6,054,000.

In the protest by Albert Geddes-Eccles, by his guardian Thomas Sloan, it was claimed that Albert was one of the heirs and that final distribution would be irregular unless he be named as an heir.

The issues were joint purely on the question of the rights of the boy to heirship and the case was fought bitterly on both sides, the heirs and recognized families of David Eccles, contending that Mrs. Margaret Geddes, mother of the boy, who claimed a plural marriage with Mr. Eccles, was an impostor and had fabricated a case against the large estate. On the other hand Mrs. Geddes stood firmly in her statements that she had married David Eccles in the Oregon Lumber company offices in Ogden in the latter part of August, 1898, and that Albert, her son, was the offspring of that marriage, the day of the boy's birth being May 21, 1899.

When the jury came into court at noon with the Hon. T. D. Johnson presiding as judge pro tem, there were but few in the court room, mostly interested parties. Mrs. Margaret Geddes, with her two daughters, Mrs. Margaret Head and Mrs. Winnie Nielson and husband, Carl Nielson, and her son Albert were in attendance. They had remained in the court during most of the morning hours, anxiously waiting. When the verdict was rendered, Mrs. Geddes showed great emotion and, with her arms around the neck of her boy, she gave vent to her feelings and wept. Other members of the family also cried and Albert who had remained in court much of the time of the trial, permitted tears to course down his cheeks and he caressed his mother.

John Davis was the only attorney for the plaintiff present. Judge W. H. King and Judge Thomas Marionneau having absented themselves from the court room since Judge King made his closing argument to the jury last evening. Frank J. Gustin and J. H. DeVine, attorneys for the heirs, were present when the verdict was given. Members of the Eccles family in court at the time were L. R. Eccles, manager of the Amalgamated Sugar company, David C. Eccles, administrator of the David Eccles estate and Joseph Eccles, one of the heirs. Outside the court room, there were not more than six or eight people. The Eccles attorneys and members of the family exhibited no great surprise, and yet they said they expected that a verdict would be given in favor of the heirs. They have contended that their defense was just and that they put forth their best honorable efforts to uphold their cause. Speaking of the verdict, soon after it had been rendered, Attorney DeVine said:

"While we were not especially surprised when the verdict for the plaintiff was read, yet we felt that we would win. Our cause was a just one and the case was presented cleanly to the jury. The equally divided opinion

of the jurors was indicated in the first ballot of four to four. We have just begun in this battle and it will not end until every possible legal step has been taken. We will immediately ask for a new trial, and, if it is denied, the case will be appealed to the supreme court."

As soon as the jury had presented its verdict to the court, and it had been read Judge Johnson released them from further service and each juror immediately went his way. When the verdict was read seven of the jurors said it was their verdict. Juror W. N. Baker nodding his dissent. The jurors signing the verdict were:

Nils Lofgren, foreman; H. H. McCool, John Parry, George Timmerman, Joseph Hiley, Robert O. Bybee and John Warren.

Under the law, a two-thirds majority vote of a jury is sufficient to declare a verdict in a civil case, but there was one more than that in this case. In criminal cases the vote for a verdict must be unanimous.

The jury spent a strenuous night. Argument was concluded at 8:22 last evening, and, even before getting dinner, a ballot was taken. The first vote was four for the plaintiff and four for the defendant. After the first ballot the jury went to dinner, returning to the jury room at about 8 o'clock. From that time until about 1 o'clock in the morning, ballot after ballot was taken without any change. Four men were standing firmly for one side and four others were just as firm for the opposite.

At six o'clock this morning the jury-men arose and took a little walk, under the surveillance of bailiff J. G. Crompton. At about 7 o'clock, they went to breakfast and returned to the jury room shortly after 8. Then the balloting and discussion again began and it appeared as though a deadlock was certain, but at about 10 o'clock one of the jurymen favoring the defendant voted for the plaintiff. This made five of the eight favoring the plaintiff. From that time on balloting and discussion came rapidly until a few minutes before 12 o'clock, when the ballot showed seven for the plaintiff and one for the defendant, after two jurors for the defendant had yielded.

Judge W. H. King closed the argument for the plaintiff yesterday afternoon, beginning at a few minutes before three o'clock and continuing until after 8 o'clock. He steadfastly maintained the high standing and integrity of the late David Eccles and scored the imputations of anything but correct association with Mrs. Geddes. He frequently appealed to the jury to give Albert Geddes a name of respectability.

(Continued on Page Two.)

WRECK OF PLANT IS INVESTIGATED

Explosion of United Safety Powder Factory Believed to Have Been Caused by Outside Agencies.

Louisville, Ky., July 16.—Believing the explosion which wrecked the plant of the United Safety Powder company near Louisville last Monday afternoon and which caused the loss of four lives including that of Robert S. Waddell, the superintendent, to have been caused by outside agencies, an exhaustive investigation into the circumstances surrounding the explosion has been ordered by the board of directors of that concern.

Until about a month ago and since the beginning of war in Europe the plant has been under lease to a Canadian company manufacturing high explosives.

THOUSANDS OF TAILORS STRIKE

New York, July 16.—A conference of representatives of the Amalgamated Clothiers of America and of the New York Clothing Manufacturers' association, composing a committee of adjustment, was called today to endeavor to settle the tailors' strike here. The committee was instructed to agree on terms on which the strikers would return to work. In all about 21,000 tailors are now on strike.

The union leaders, it was announced, have agreed that there shall be no extension of the strike until the adjustment committee has had an opportunity to compose the differences between the men and their employers.

Hermitage Coupon

Cut out this coupon and buy as many tickets as you want for 15 cents each to the Hermitage and back. They are good for any day in July, 1915, except Sundays and July 24th. For sale only at The Standard Office. Get up your picnic parties this month.